

**PATENT****PENDING CLAIMS AS AMENDED**

Please amend the claims as follows:

**Claims 1 -34 (Cancelled)**

35. (Allowed) A method for a communication system, comprising:  
determining an available number of fingers in a receiver of said communication system, based on at least one of:

- a) lock or unlock condition of said fingers,
- b) a time period of lock or unlock condition of said fingers,
- c) a combine or un-combine condition of said fingers,
- d) a time period of combine or un-combine condition of said fingers, and
- e) an assign or un-assign condition of said fingers;

adjusting a pilot signal energy search window threshold based on said available number of fingers, thereby allowing availability of a different number of fingers for processing received signals by changing condition of one of said fingers as determined in at least one of (a)-(e).

36. (Allowed) The method as recited in claim 35 further comprising:

accepting or denying processing of a received signal based on whether a correlation energy of a received pilot signal meets said adjusted pilot signal energy search window threshold, wherein said received signal is associated with said pilot signal.

37. (Allowed) The method as recited in claim 35 further comprising:

determining at least one of Active set, Candidate set, and Neighbor set of base stations in said communication system, wherein each set identifies at least one base station for communication with a mobile station in said communication system, wherein said Active set identifies at least one base station assigned for communication with said mobile station, wherein said Candidate set identifies at least one station with sufficient

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pilot signal strength at said mobile station and for communication with said mobile station, wherein said Active set is exclusive of said Candidate set, wherein said Neighbor set identifies at least one base station for possible communication with said mobile station, wherein said Neighbor set is exclusive of said Active and Candidate sets;

moving at least one base station from one set to another set among said Active, Candidate and Neighbor sets of base stations based on said adjusted pilot signal energy search window threshold.

38. (New) An apparatus for a communication system, comprising:

a controller configured for determining a number of available fingers in a receiver of said communication system, based on at least one of:

- a) lock or unlock condition of said fingers,
- b) a time period of lock or unlock condition of said fingers,
- c) a combine or un-combine condition of said fingers,
- d) a time period of combine or un-combine condition of said fingers, and
- e) an assign or un-assign condition of said fingers;

said controller further configured for adjusting a pilot signal energy search window threshold based on said available number of available fingers, thereby allowing availability of a different number of fingers for processing received signals by changing condition of one of said fingers as determined in at least one of (a)-(e).

39. (New) The apparatus as recited in claim 38 wherein said controller further configured for:

accepting or denying processing of a received signal based on whether a correlation energy of a received pilot signal meets said adjusted pilot signal energy search window threshold, wherein said received signal is associated with said pilot signal.

40. (New) The apparatus as recited in claim 38 wherein said controller further configured for:

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determining at least one of Active set, Candidate set, and Neighbor set of base stations in said communication system, wherein each set identifies at least one base station for communication with a mobile station in said communication system, wherein said Active set identifies at least one base station assigned for communication with said mobile station, wherein said Candidate set identifies at least one station with sufficient pilot signal strength at said mobile station and for communication with said mobile station, wherein said Active set is exclusive of said Candidate set, wherein said Neighbor set identifies at least one base station for possible communication with said mobile station, wherein said Neighbor set is exclusive of said Active and Candidate sets; and for

moving at least one base station from one set to another set among said Active, Candidate and Neighbor sets of base stations based on said adjusted pilot signal energy search window threshold.